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12 **UNITED STATES DISTRICT COURT**
13 **DISTRICT OF NEVADA**

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15 UNITED STATES OF AMERICA,

16 2:16-mj-00723-NJK

17 Plaintiff,

18 Stipulation to Continue the
19 Preliminary Hearing
(*Fourth Request*)

20 vs.

21 RAUL CASAREZ,

22 Defendant.

23 IT IS HEREBY STIPULATED AND AGREED, by and between STEVEN W. MYHRE,
24 Acting United States Attorney, and CRISTINA D. SILVA, Assistant United States Attorney,
counsel for the United States of America, and REBECCA A. LEVY, Assistant Federal Public
Defender, counsel for Defendant, that the preliminary hearing date in the above-captioned matter,
currently scheduled for March 24, 2017, at 4:00 p.m., be vacated and continued for not less than
fourteen (14) days, to a date and time to be set by this Honorable Court.

25 This stipulation is entered into for the following reasons:

- 26 1. The parties request a continuance so they may continue to engage in plea
27 negotiations. Additional time is needed to complete the process.
28 2. The parties agree to the continuance.

3. The Defendant is in custody but does not object to the continuance.

4. Additionally, denial of this request for continuance could result in a miscarriage of

5. The additional time requested herein is not sought for purposes of delay, but to allow for a potential pre-indictment resolution of the case.

6. The additional time requested by this stipulation, is allowed, with the Defendant's consent under the Federal Rules of Procedure 5.1(d).

7. This is the fourth request for a continuation of the preliminary hearing.

DATED this 23rd day of March, 2017.

Respectfully submitted,

STEVEN W. MYHRE
Acting United States Attorney

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RENE L. VALLADARES
Federal Public Defender

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CRISTINA D. SILVA
Assistant United States Attorney

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

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UNITED STATES OF AMERICA,

2:16-mj-00723-NJK

Plaintiff,

VS.

RAUL CASAREZ,

ORDER

Defendant.

ORDER

Based on the pending Stipulation of counsel, and good cause appearing therefore, the Court finds that:

- 1 The parties request a continuance so they may continue to engage in plea negotiations

Additional time is needed to complete the process.

2. The parties agree to the continuance.

3. The Defendant is in custody but does not object to the continuance.

4. Additionally, denial of this request for continuance could result in a miscarriage of

5. The additional time requested herein
for a potential pre-indictment resolution of the case

6. The additional time requested by this stipulation, is allowed, with the Defendant's consent under the Federal Rules of Procedure 5.1(d).

7. This is the fourth request for a continuation of the preliminary hearing.

For all of the above-stated reasons, the ends of justice would best be served by a continuance of the preliminary hearing date.

CONCLUSIONS OF LAW

The ends of justice served by granting said continuance outweigh the best interest of the public and the defendant, since the failure to grant said continuance would be likely to result in a miscarriage of justice, would deny the parties herein to potentially resolve the case prior to indictment, and further would deny the parties sufficient time and the opportunity within which to be able to effectively and thoroughly prepare for the preliminary hearing, taking into account the exercise of due diligence.

The continuance sought herein is allowed, with the Defendant's consent, pursuant to Federal Rules of Procedure 5.1(d).

ORDER

IT IS THEREFORE ORDERED that the preliminary hearing currently scheduled for March 24, 2017, at the hour of 4:00 p.m., be vacated and continued to April 17, 2017, at the hour of 4:00 p.m., in courtroom 3C.

DATED 24th day of March, 2017.

~~THE HONORABLE NANCY J. KOPPE
UNITED STATES MAGISTRATE JUDGE~~